



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 21, 2020

BY ECF

Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Frederick L. Scheinin*, 20 Cr. 133 (LGS)

Dear Judge Schofield,

The parties jointly write in response to the Court's February 19, 2020 order to propose schedules for: (i) the production of discovery; (ii) the filing of pretrial motions; and (iii) the initial status conference.

I. Discovery

Discovery in this matter includes, among other things, electronic and recorded communications between the defendant and an undercover law enforcement officer, photographs of physical items seized from the defendant's person and from his office, cellphone location information associated with the defendant's cellphone, various subpoena returns, multiple search warrant applications, search warrant returns from multiple providers of electronic communications services, and contents extracted from approximately twenty electronic devices and electronic storage devices seized from the defendant's person, his residence, and place of work. The full volume of records on these devices is not yet known to the Government. Nor does the Government know how many of these devices are encrypted or password protected.

The Government expects to be in a position to produce most of the discovery by February 28, 2020. However, some of the discovery materials are not yet in the Government's possession, including some of the search warrant returns and extractions of records obtained on the defendant's electronic and storage devices. Accordingly, the parties propose that the Government commence rolling productions of discovery on February 28, 2020, with the goal of substantially completing the production of discovery by March 27, 2020.

II. Pretrial Motions

In light of the voluminous discovery in this matter, the parties propose that the defendant's pretrial motions be filed by June 26, 2020.

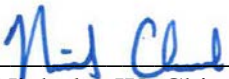
III. Initial Status Conference

Based on the forgoing, the parties request that the Court schedule the initial status conference for one of the following dates: July 13, 2020, July 14, 2020, or July 15, 2020.

Finally, the Government respectfully requests that time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), between the filing of the Court's scheduling order and the date of the initial status conference. The Government submits that the ends of justice served by the exclusion outweigh the best interests of the public and the defendant in a speedy trial, because, among other reasons, it will permit defense counsel time to review discovery, consider possible motion practice, and file such motions. Mr. Scheinin's attorney, Tamara Giwa, consents to this request.

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney

by: 

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cc: Tamara Giwa, Esq. (by ECF)